

REMARKS

This Application was carefully reviewed prior to payment of the Issue Fee, in view of (a) the Decision by the Board of Patent Appeals and Interferences dated November 17, 2010 ("the Appeal Decision"), and (b) the Notice of Allowance mailed January 13, 2011.

This Amendment was prepared in order to amend the claims. In particular, independent Claim 10 is amended to further clarify the claim, and to include the feature of Claim 1 that the Appeal Decision held is not taught in the cited prior -- specifically, the "central control device" for controlling the connection setup and/or clear-down of the communications link via the control network:

The Examiner has not explained what, if anything, in the combined reference teachings corresponds to the recited "central control device" for "controlling the setup and/or clear-down of the communications link ... via a control network." The Examiner therefore has not provided the necessary "articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 418 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)). For this reason, we do not sustain the rejection of claim 1 or the rejection of either of its dependent claims 2 and 5.

(Appeal Decision, pages 13-14)

Thus, the amendments to Claim 10 merely add the allowable feature of Claim 1, as set forth in the Appeal Decision. Further, claims 11-13 and 19 have been amended to provide proper antecedent basis in view of the amendments to Claim 10. Therefore, it is respectfully submitted that the amendments are proper for an Amendment Under Rule 312, and entry of this Amendment is thus respectfully requested.

Applicants believe that no fee is due. However, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-4871 of King & Spalding L.L.P. in order to effectuate this filing.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.457.2030

ATTORNEY DOCKET
03869.105720

PATENT APPLICATION
10/088,682

7

Respectfully submitted,
KING & SPALDING LLP
Attorney for Applicants

A handwritten signature in black ink, appearing to read "Eric M. Grabski".

Eric M Grabski
Registration No. 51,749

Date: February 3, 2011

SEND CORRESPONDENCE TO:
KING & SPALDING L.L.P.
CUSTOMER ACCOUNT NO. **86528**
512-457-2030
512-457-2100 (fax)